



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

NOV 17 2014

Patricia Grantham, Forest Supervisor
Klamath National Forest
1711 S. Main Street,
Yreka, CA 96097
ATTN: Angie Bell, Project Leader

Subject: Draft Environmental Impact Statement for the Jess Project, Klamath National Forest,
Siskiyou County, California (CEQ # 20140286)

Dear Ms. Grantham:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the Jess Project, Klamath National Forest. Our review is provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

EPA has a unique responsibility in the NEPA review process. Under Section 309 of the Clean Air Act, EPA is required to review and publicly comment on the environmental impacts of major federal actions that are the subject of Environmental Impacts Statements (EIS).

The Jess Project is proposed to improve the defensibility of the town of Sawyers Bar to wildfire, improve forest health in the project area, and provide economic stimulus for the local economy. EPA acknowledges the importance of these goals. The ongoing problems of unnatural stand density, buildup of fuels, and susceptibility to disease and infection by dwarf mistletoe require prompt and appropriate management actions. While carefully designed timber harvest and prescribed underburning can be effective tools to reduce the risk of fire and restore natural ecological processes, unsustainable harvest practices can have negative consequences. Therefore, it is vital that decision making be based upon the most current available science and data available regarding stand health and harvest practices. While EPA supports the purpose of the proposed project, we have concerns regarding the characterization of the project area and possible project impacts in relation to recent wildfire activity near the project area. We are also concerned with impacts to special status or endangered species and water quality. Based on our review of this DEIS, we have rated the preferred action as Environmental Concerns – Insufficient Information (EC-2). Please see the attached Summary of EPA Rating Definitions.

The DEIS includes only very limited information regarding recent wildfire activity and fire fighting efforts near the project area. The Whites Fire of 2014 is not discussed in the DEIS, while the Salmon River Complex Fire of 2013 is discussed briefly. EPA understands that control of these burns had direct and indirect impacts upon the project area due to heavy use of forest roads for access to the fires, construction of fire breaks, burning of Northern spotted owl habitat near the project area, and

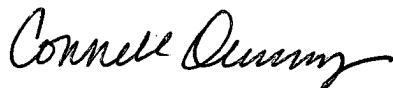
introduction of increased sediment to streams and aquatic habitat. It is unclear how these prior recent impacts, and the resulting current conditions, might alter the anticipated environmental outcomes described in the DEIS. The FEIS should discuss the recent wildfire history in the project vicinity, any change in conditions from those described in the DEIS, and any updates to anticipated effects based on the current conditions.

EPA understands that the US Fish and Wildlife Service is in the process of preparing its biological opinion for the Jess Project. Given the extent of acreage of critical habitat that was degraded by recent wildfire activity, EPA recommends that the KNF work with the USFWS to ensure that the Biological Opinion for this project is based upon the current post-fire forest condition. In addition, the cumulative effects analysis of the BO and FEIS should consider how these recent fires might contribute to a loss of habitat connectivity for wildlife, and special status and endangered species in particular. We recommend that the FEIS include a detailed summary of the findings of the USFWS' Biological Opinion.

Although the DEIS indicates that the project would not significantly degrade water quality due to design measures intended to protect hydrology (such as wide riparian buffers), EPA is concerned with potential water quality impacts of the project. Road use, in particular, has the potential to introduce increased sediment into the North Fork Salmon River. Although the DEIS states that the increase in sediment to the waterway would be 10% or less, and other impacts to water quality will be negligible, recent wildfire related activity in the project area likely involved heavy forest road use that may have resulted in increased sediment into waterways. EPA encourages KNF to continue to work with the North Coast Regional Water Quality Control Board to ensure that all feasible precautions are taken to minimize water quality impacts. Although the DEIS indicates that the water quality Best Management Practices implemented for this project will be monitored as part of the Forest BMP Evaluation Program, the scope of this monitoring effort is unclear. Further, the DEIS does not clearly state how data on mitigation effectiveness would be integrated into BMP design improvements, or how additional mitigation may be applied should monitoring show that the proposed measures are insufficient to protect water quality. The FEIS should elaborate on this program and its relationship to the proposed project, clearly describing methodologies and triggers for additional mitigation.

We appreciate the opportunity to review this DEIS. When the FEIS is released for public review, please send one hard copy and three CD ROMs to the address above (mail code: ENF 4-2). If you have any questions, please call me at (415) 972-3521 or you can contact Carter Jessop, the lead reviewer for this project, at (415) 972-3815 or jessop.carter@epa.gov.

Sincerely,


Kathleen Martin Goforth, Manager
Environmental Review Section

Attachment: EPA Summary of Rating Definitions
CC: US Fish and Wildlife Service, Region 8

SUMMARY OF EPA RATING DEFINITIONS*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

ENVIRONMENTAL IMPACT OF THE ACTION

"LO" (Lack of Objections)

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

"EC" (Environmental Concerns)

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

"EO" (Environmental Objections)

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

"EU" (Environmentally Unsatisfactory)

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

ADEQUACY OF THE IMPACT STATEMENT

"Category 1" (Adequate)

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analysed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analysed in the draft EIS, which should be analysed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.